

1
2
3
4 BILL NO. Z-72-12-35

5 ZONING MAP ORDINANCE NO. Z-08-73

6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. H1, H2.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
9 INDIANA:

10 SECTION 1. That the area described as follows is hereby
11 designated a B-4 District under the terms of Chapter 36,
12 Municipal Code of the City of Fort Wayne, Indiana, 1946, as
13 amended by General Ordinance No. 2836 and amendments thereof;
14 and the symbols of the City of Fort Wayne Zoning Map No. H1, H2
15 referred to therein, established by Section 9, Article III of
16 said Chapter as amended, are hereby changed accordingly, to-wit:

17 The South 264 feet of Lot No. 4 and all of Lot No.
18 5 in Wayne Haven Addition in Section 9, Township
19 30 North, Range 13 East in Allen County, Indiana,
commonly known as 5220 and 5224 New Haven Avenue
and 2021 Sheridan Road, Fort Wayne, Indiana.

20 The deed for said Lot No. 4 is recorded in the Recorder's
21 Office in Deed Record 636, Page 388. The deed for said
22 Lot No. 5 appears in the Recorder's Office of Allen County
Indiana as Instrument No. 71-21772.

23 SECTION 2. This Ordinance shall be in full force and
24 effect from and after its passage and approval by the Mayor
25 and legal publication thereof.

26 Eugene Kraush
27 Councilman

28 APPROVED AS TO FORM
29 AND LEGALITY

30 Paul E. [Signature]
31 CITY ATTORNEY

32
33
34
35

Read the first time in full and on motion by Kraus, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 12-12-72

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Kraus, seconded by Hinga, and duly adopted, placed on its passage. Passed ~~(and)~~ by the following vote:

	AYES <u>6</u>	NAYS <u>3</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 5-8-73

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2-08-73 on the 8th day of May, 1973.

ATTEST: (SEAL)
Charles W. Westerman
CITY CLERK

W. L. C. Moore Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P. M., E.S.T.

Joseph H. Pebaroff
MAYOR

Read the first time in full and on motion by Kraus seconded by
V. Schmidt and duly adopted, read the second time by title and
referred to the Committee on Riquelme (and to the
City Plan Commission for recommendation) (and Public Hearing to be held after due legal
notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on
the _____ day of _____, 19____, at _____ o'clock
P.M., E.S.T.

Date: 12/14/72 Charles W. Tittemann
CITY CLERK

Read the third time in full and on motion by Nuckols
seconded by James Stier and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

AYES <u>3</u>	NAYS <u>5</u>	ABSTAINED <u>1</u>	ABSENT _____ to-wit:
Burns <u>✓</u>	<u>✓</u>	_____	_____
Hinga <u>✓</u>	_____	_____	_____
Kraus <u>✓</u>	<u>✓</u>	_____	_____
Nuckols <u>✓</u>	_____	_____	_____
Moses <u>✓</u>	<u>✓</u>	_____	_____
Schmidt, D. <u>✓</u>	_____	_____	_____
Schmidt, V. <u>✓</u>	<u>✓</u>	_____	_____
Stier <u>✓</u>	_____	<u>✓</u>	_____
Talarico <u>✓</u>	<u>✓</u>	_____	_____

more for
reconsideration
by Mr
Charles Kraus
May 8, 1973

Date 4/25/73 Charles W. Tittemann
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning
Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____
on the _____ day of _____, 19____.

ATTEST: (SEAL)

Charles W. Tittemann
CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of
_____, 19____-at the hour of _____ o'clock _____ M., E.S.T.

Charles W. Tittemann
CITY CLERK

Approved and signed by me this _____ day of _____, 197____
at the hour of _____ o'clock _____ m., E.S.T.

John H. [Signature]
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 12, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-12-35; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

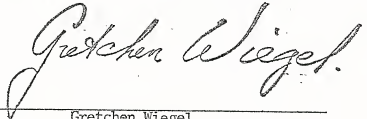
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 15, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall Master Plan of the City of Fort Wayne.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 22, 1973.

Certified and signed this
26th day of March, 1973.



Gretchen Wiegel
Secretary

Bill No. Z-72-12-35

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulation to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map Nos. H1, H2

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

John Nuckols, Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
DJ Schmidt

5-8-73
DATE 5-8-73 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

No 168

FT. WAYNE, IND.,

Nov 8 19 71

RECEIVED FROM

Geo Bellio

\$ 50.00

THE SUM OF

Fifty

and

DOLLARS

ON ACCOUNT OF

Payee Lot 9 Ordinal Acres to Indianapolis

M. Hartman

AUTHORIZED SIGNATURE

RECEIPT

GENERAL FUND

No 170

FT. WAYNE, IND.,

Nov 9 19 72

RECEIVED FROM

Berning Trailer Sales

\$ 50.00

THE SUM OF

Fifty

and

DOLLARS

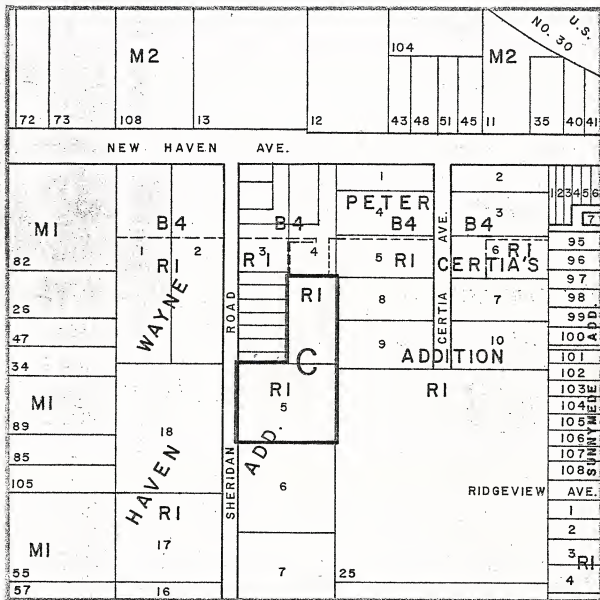
ON ACCOUNT OF

Payee from R-1 to B-4

Lot 4 & Lot 5 Instrument Number 71-21772

Nancy Hartman

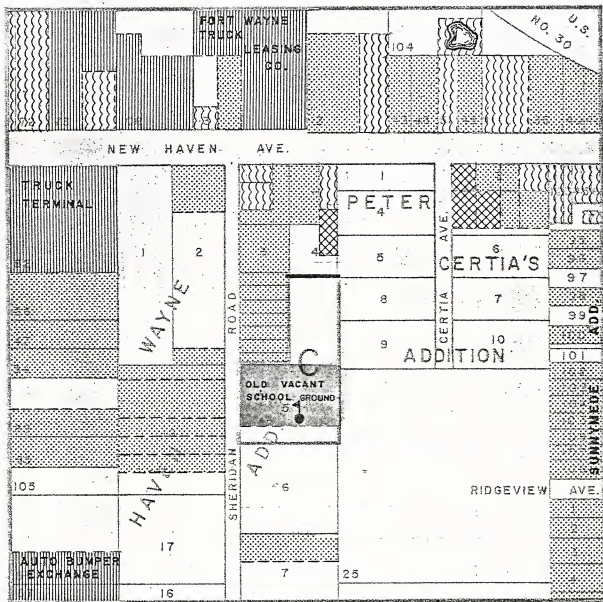
AUTHORIZED SIGNATURE








C CHANGE FROM R-1 TO B-4

The South 264 feet of Lot #4 and all of Lot #5 in Wayne Haven Addition, in Section 9, Township 30 North, Range 13 East in Allen County, Indiana, commonly known as 5220 and 5224 New Haven Avenue and 2021 Sheridan Road, Fort Wayne, Indiana.

The deed for said Lot #4 is recorded in the Recorder's Office in Deed Record 636 , Page 388. The deed for said Lot #5 appears in the Recorder's Office of Allen County, Indiana as Instrument # 71.21772.

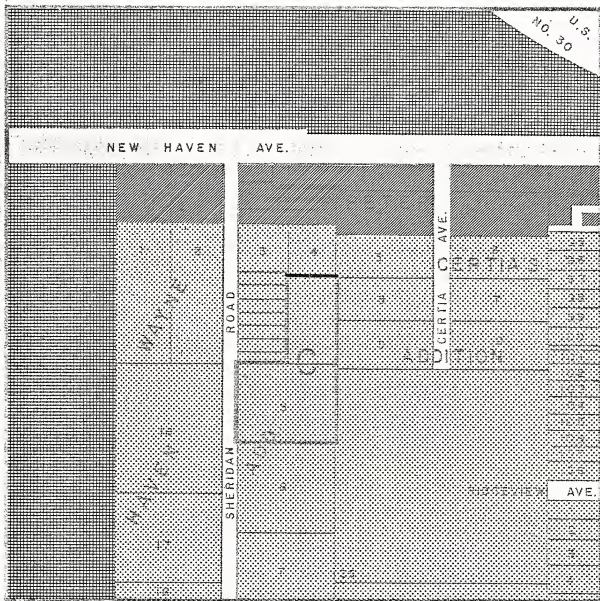


EXISTING LAND USE MAP

-  — PUBLIC & SEMIPUBLIC
 — ONE FAMILY RESIDENTIAL
 — MULTIPLE FAMILY RESIDENCE
 — COMMERCIAL
 — INDUSTRIAL

2-72-12-35

Z-72-12-35



PROPOSED LAND USE MAP

-  — INDUSTRIAL
-  — COMMERCIAL
-  — LOW DENSITY RESIDENTIAL

Z-72-12-35

PETITION FOR ZONING ORDINANCE AMENDMENT

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

No. _____

DATE FILED: November 9, 1972

INTENDED USE: Travel Trailer Storage

I/We Paul H. Berning and Mildred L. Berning
Applicant's Name or Names

Do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana by
reclassifying from an R-1
District to a B-4 District the property described
as follows:

The South 264 feet of Lot No. 4 and all of Lot No. 5 in Wayne Haven
Addition in Section 9, Township 30 North, Range 13 East in Allen
County, Indiana, commonly known as 5220 and 5224 New Haven Avenue
and 2021 Sheridan Road, Fort Wayne, Indiana

General Description (Prepared by Planning Staff)

The deed for said Lot No. 4 is recorded in the Recorder's Office
in Deed Record 636, Page 388. The deed for said Lot
No. 5 appears in the Recorder's Office of Allen County, Indiana
as Instrument No. 71-21772.

Legal Description

Legal Description Checked by (City Engineer) [Signature]

The Undersigned applicant (s) upon the execution and submission of this application and petition
for zoning ordinance amendment, understands and agrees that:

All requests for continuances or requests that ordinances be taken under advisement
shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday
preceding the meeting of the City Plan Commission at which the ordinance is to be considered.
If the request for a continuance or for the ordinance to be taken under advisement is filed
within the required time, the head of the Plan Commission staff shall not put the matter on
the agenda for the meeting at which it was to be considered. Also, in the event, a request is
filed for continuance or delay in the consideration of an ordinance, it shall be the obligation
of the petitioner to notify the same property owners which the Plan Commission had notified by
mail that the hearing has been postponed or rescheduled and informing him of the time and
place of the next meeting at which the proposed ordinance will be considered. In the event the
time and place of the meeting is not known at the time that the request for continuance is
filed, it shall be the duty of the petitioner to notify all persons notified by the Plan
Commission Office when the time and place of hearing is determined.

I/We hereby certify that as the undersigned, I am / We are the owner (s) of fifty-one
percentum or more of the property described in this petition.

<u>Paul H. Berning</u>	<u>5220 New Haven Avenue</u>	<u>[Signature]</u>
Name	Address	Signature
<u>Mildred L. Berning</u>	<u>5220 New Haven Avenue</u>	<u>[Signature]</u>

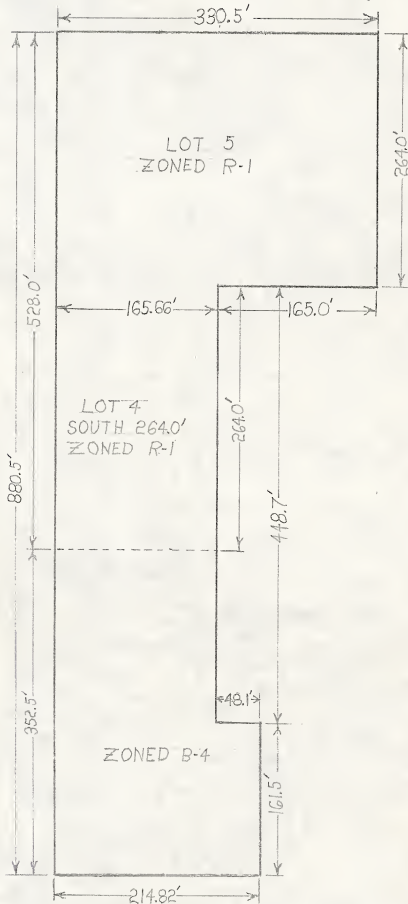
This petition for zoning ordinance amendment prepared by:

<u>Robert H. Berning</u>	<u>409 Standard Building</u>	<u>422-6411</u>
Name	Address	Telephone Number

City Plan Commission - One Main Street - City-County Building - Fort Wayne, Indiana - 423-7571

9-30-13

300.7-H



SHERIDAN ROAD

EAST

WEST

NORTH
NEW HAVEN AVE



THE CITY OF FORT WAYNE

office of city plan commission

January 3, 1973

Mr. Robert Berning
409 Standard Building
Fort Wayne, Indiana 46802

Dear Mr. Berning:

This letter is sent to you as a reminder that the petition submitted
for The south 264 feet of Lot #4 and all of Lot #5 in Wayne

Haven Addition, commonly known as 5220 and 5224 New Haven Avenue and
2021 Sheridan Road.

is scheduled for Public Hearing on the 15th day of January, 1973,
to be held in the Council Chambers, First Floor of the City-County
Building. (7:30 P.M.)

We would suggest that someone be present to explain this request to the
Commission at the public hearing.

Sincerely,

CITY PLAN COMMISSION

Gary F. Baeten
Administrative Assistance

GFB:pr

Held for Mr. Brown,
his it

reconsideration vote:

Legal ruling pending
from Council Attorney
John Logan - regarding
recall vote -

"Have Mr. Brown write
a letter in regard to
reconsideration vote"

Reconsideration Vote

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: _____

CITY CLERK

Reconsideration Vote
Read the third time in full and on motion by *Kraus*, seconded by *Nuckols*, and duly adopted, placed on its passage.

Passed (~~1961~~) by the following vote:

AYES 10, NAYS 3, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	_____	_____	_____	_____
HINGA	✓	_____	_____	_____
KRAUS	✓	_____	_____	_____
MOSES	✓	_____	_____	_____
NUCKOLS	✓	_____	_____	_____
SCHMIDT, D.	✓	_____	_____	_____
SCHMIDT, V.	_____	✓	_____	_____
STIER	✓	_____	_____	_____
TALARICO	_____	✓	_____	_____

DATE: 5/8/73

Charles H. Kline
CITY CLERK



CITY OF FORT WAYNE
910 LINCOLN BANK TOWER
FORT WAYNE, INDIANA 46802

JOHN H. LOGAN
COMMON COUNCIL ATTORNEY
AND RESEARCH ANALYST

May 1, 1973

Common Council of the City of Fort Wayne
1st floor City County Bldg.
Fort Wayne, In. 46802

Re: Bill No. Z-72-12-35

Gentlemen:

You have asked me to give you a legal ruling as to whether the above Bill was duly defeated at the meeting of the Common Council on April 24, 1973.

The Bill in question was read by the Common Council and referred to the Plan Commission for recommendation. The purpose of the Bill was to rezone real estate from R-1 to B-4.

The Plan Commission reported back to the Council that it recommended that the Bill "Do Pass". The Common Council at its meeting of April 24, 1973 considered this Bill and the Plan Commission's recommendation of "Do Pass", and voted as follows: Five (5) nays; three (3) ayes and one (1) abstention.

The action of the City Council in considering any Ordinance in the absence of a specific statutory statement requires only a simple majority vote to either pass or reject a Bill.

There is nothing in the statute regarding a requirement of other than a simple majority vote to overrule a recommendation of "do pass" by the Plan Commission. The statute dealing with the matter of amending, supplementing or changing the Zoning Ordinance Master Plan provides as follows:

"In the event the report of the Plan Commission is adverse to the proposed Ordinance referred to it, the Ordinance shall not be passed, except by an affirmative vote of at least seventy-five percentum (75%) of the members of the City Council x x x x x x x x x x " (Underscoring supplied) (Burns 53-765)

As heretofore stated, nowhere is there any statutory requirement other than a majority vote in the event that the Council desires to overrule a "do pass" by the Plan Commission.

Respectfully submitted,

John H. Logan
JOHN H. LOGAN

jhl/bm

LAW OFFICES
BERNING & BERNING
409 STANDARD BUILDING
FORT WAYNE, INDIANA 46802
422-6411

ROBERT H. BERNING
WILLIAM A. BERNING

March 16, 1973

The City of Fort Wayne
Office of City Plan Commission
8th Floor, City-County Bldg.
Fort Wayne, Indiana 46802

Attention: Mr. Gary F. Baeten,
Administrative Assistant

Re: Bill No. Z-72-12-35

Dear Sir:

Receipt is acknowledged of your letters dated January 24, 1973 and February 28, 1973 concerning the captioned petition for rezoning.

Please be advised that my client, Paul Berning, operator of Berning Trailer Sales intends to comply with all of the conditions set out in your letters.

Paul Berning has received a bid from Dailey Asphalt Products Co., Inc. concerning sub-paragraph A of your letter of January 24th and your letter of February 28th, 1973. It is his intention to construct the deceleration and recovery lane on New Haven Avenue in accordance with your requirements and in accordance with requirements as set forth by Jack Parr, Allen County Permit Engineer.

My client agrees to limit access to the site from New Haven Avenue only, provide a landscape fence along Sheridan Road frontage, 7 feet in height, and not encroaching beyond existing set back of homes on Sheridan Road.

My client furthermore agrees to the dedication of 25 feet right-of-way for length of frontage of Sheridan Road.

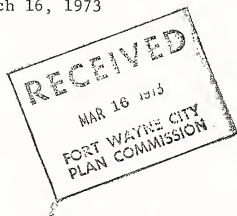
It is my client's intention to accomplish the foregoing requirements as soon as possible taking weather into consideration.

It is our hope that with the foregoing declaration of intention you will be in a position to recommend to the City Council the passage of this ordinance.

Sincerely yours,

ROBERT H. BERNING

RHB/mb



DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE

Preparation of a Zoning Map Amendment Ordinance petition initiated by property owners to rezone property located as follows:

The south 264 feet of Lot # 4 and all of Lot # 5 in Wayne Haven Addition,
commonly known as 5220 and 5224 New Haven Avenue, and 2021 Sheridan Road.

From an "R1" to a "B4"

EFFECT OF PASSAGE

EFFECT OF NON-PASSAGE

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

ASSIGNED TO COMMITTEE (J. N.)

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	3-72-12-25
ORDINANCE NO.	2-68-73
<input checked="" type="checkbox"/> REGULAR SESSION	12-12-72
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	Keller
BILL WRITTEN BY	City Clerk
DATE INTRODUCED	12-12-72
REFERRED TO SAID STANDING COMMITTEE	Regulations
REFERRED TO CITY PLAN	12-13-72
LEGAL PUBLIC HEARING	
<input checked="" type="checkbox"/> LEGAL PUBLICATION	Letter sent to Newspapers Legal Publications
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	5-8-73
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	Letter R. Berning from City Clerk COMMUNICATIONS FROM
<input checked="" type="checkbox"/>	ZONING MAPS
	Platting to rezone
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Original Book.
Reconsideration Vote
COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS			
HINGA			
KRAUS			
MOSES			
NUCKOLS			
D. SCHMIDT			
V. SCHMIDT			
STIER			
TALARICO			

COMMENTS:

Letter of reconsideration
Vote from Kraus -
Letter from Mr. Logan
in regard to the voting
of 4-24-73.



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

May 11, 1973

Miss Helen Libbing
Fort Wayne Newspapers
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

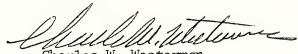
Please give the attached full coverage on the dates of May 12 and May 19, 1973, in both the News Sentinel and Journal Gazette.

- RE: Legal Notice for Common Council of
Fort Wayne, Indiana, Fort Wayne Zoning
Ordinance Map No. H1, H2.
Zoning Map Ordinance No. Z-08-73.
- RE: Legal Notice for Common Council of
Fort Wayne, Indiana, for surplus real
estate - Special Ordinance No. S-59-73
- RE: Legal Notice for Common Council of
Fort Wayne, Indiana, Fort Wayne Zoning
Map No. H6, H8, J8. - Zoning Map
Ordinance No. Z-07-73
- RE: Legal Notice for Common Council of
Fort Wayne, Indiana, Fort Wayne Zoning
Map No. B1B.-- Zoning Map
Ordinance No. Z-06-73.

Please send us four (4) copies of the Publisher's affidavit.

Thank you.

Sincerely,


Charles W. Westerman
City Clerk

Common Council, City Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines _____ 91

Tail number of lines _____ 2

Total number of lines in notice _____ 93

COMPUTATION OF CHARGES

93 lines, 1 columns wide equals equivalent lines at 288¢ \$ 26.78

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM \$ 27.78

DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions two Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 5-22-73, 19

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned LARRY E. GERKEN who, being duly sworn, says that he is CLERK of the JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows: May 14 and May 21, 1973

Subscribed and sworn to before me this 22nd day of May 1973

Notary Public

My commission expires May 1, 1974

Notice is hereby given that on the 8th day of May, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 2-72-12-S, 2-08-73 Zoning Map Ordinance, to-wit:

BILL NO. 2-72-12-S
ZONING MAP ORDINANCE NO. 2-08-73
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H1, H2, SE 11, OK'DAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA.

SECTION 1. That the area described as follows is hereby designated a S-4 District under the terms of Chapter 35, Municipal Code of the City of Fort Wayne, Indiana, 1960, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. H1, H2 referred to therein, established by Section 9, Article III, of said Chapter as amended, are hereby changed accordingly, to-wit:

The 344 feet of Lot No. 4 and all of Lot No. 5 in Wayne Haven Addition in Section 9, Township 30 North, Range 13 East in Allen County, Indiana, commonly known as 5226 and 5224 New Heaven Avenue, and 2621 Sheridan Road, Fort Wayne, Indiana.

The deed for said Lot No. 4 is recorded in the Recorder's Office in Deed Record 636, Page 388. The deed for said Lot No. 5 appears in the Recorder's Office of Allen County Indiana as Instrument No. 71-21772.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

EUGENE KRAUS,

Councilman

Read the third time in full and on motion by Kraus, seconded by Hingo, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Six
Hingo, Kraus, Moses, Nuckolls, D. Schmidt, Siler
Nays: Burns, V. Schmidt, Talerica
Date: 5-8-73

CHARLES W. WESTERMAN,

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-08-73 on the 8th day of May, 1973.

ATTEST: (SEAL)

CHARLES W. WESTERMAN,

City Clerk

WINFIELD C. MOSES, JR.

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:30 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,

City Clerk

Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF,

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. 2-08-73 passed by the Common Council on the 8th day of May, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 9th day of May, 1973, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 9th day of May, 1973.

CHARLES W. WESTERMAN,

City Clerk

(SEAL)

5-14-21.

COMMON council, city fort wayne
(Governmental Unit)

To NEWS-SENT INEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines 91Tail number of lines 2Total number of lines in notice 93

COMPUTATION OF CHARGES

93 lines, 1 columns wide equals _____ equivalent lines at .288¢ cents per line

\$ 26.78

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM

\$ 27.78

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 pointNumber of insertions twoSize of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 5-22-73, 19

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENT INEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

May 14 and May 21, 1973

Subscribed and sworn to before me this 22nd day of May, 1973.

Edith Stapleton
Notary Public

My commission expires March 8, 1974

Notice is hereby given that on the 8th day of May, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-73-135, Z-68-73 Zoning Map Ordinance, to-wit:

BILL NO. Z-73-135
ZONING MAP ORDINANCE NO. Z-68-73
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. H1, H2, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated as B-4 District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 263 and amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. H1, H2 referred to therein, established by Section 9, Article III, of said Chapter as amended, are hereby changed accordingly, to-wit:

The South 3rd feet of Lot No. 4 and all of Lot No. 5 in Wayne Haven Addition in Section 9, Township 30 North, Range 15 East in Allen County, Indiana, formerly known as 520 and 524 Sheridan Haven Avenue, and 202 Sheridan Road, Fort Wayne, Indiana.

The deed for said Lot No. 4 is recorded in the Recorder's Office in Deed Record 636, Page 385. The deed for said Lot No. 5 appears in the Recorder's Office of Allen County Indiana as Instrument No. 71-2172.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

EUGENE KRAUS,

Councilman
Read the third time in full and on motion by Kraus, seconded by Hingo, and duly approved, placed on its passage. Passed by the following vote:

Ayes: Six
Hingo, Kraus, Moses, Nuckols, D. Schmidt, Siler
Nays: Burns, V. Schmidt, Talarico
Date: 5-8-73

CHARLES W. WESTERMAN,
City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-68-73 on the 8th day of May, 1973.

ATTEST: (SEAL)
CHARLES W. WESTERMAN,
City Clerk

WINFIELD C. MOSES, JR.,
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of May, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,
City Clerk
Approved and signed by me this 9th day of May, 1973, at the hour of 4:30 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF,
Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-68-73 passed by the Common Council on the 8th day of May, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 9th day of May, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 9th day of May, 1973.

CHARLES W. WESTERMAN,
City Clerk